

REMARKS

This is in response to the Office Action dated November 18, 2005. In the Office Action, all pending claims 1-15 were rejected. With this Amendment, claims 1 and 9 have been amended and the remaining claims are unchanged in the application. Applicant respectfully requests reconsideration and allowance of all pending claims.

In section 2 of the Office Action, claims 1-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bertness, U.S. Patent No. 6,331,762, in view of Sakai et al., U.S. Patent No. 5,905,914.

With this Amendment, claims 1 and 9 have been amended to more particularly define the invention. Support for the claim amendments can be found on page 19, lines 5-10, of the Specification, which state that:

It should also be noted that the 10.5 volt value included in Equations 2A and 2B is a minimum terminal voltage value for a typical automobile battery. However, other minimum terminal voltage values may be used without departing from the spirit and scope of the invention.

Amended independent claim 1 includes "predicting a remaining run time of the battery as a function of the measured battery dynamic parameter, the discharge current, the measured battery voltage, the battery temperature, a full charge battery dynamic parameter, a minimum terminal voltage value of the battery and an estimated capacity of the battery." (Emphasis Added.)

Neither Bertness or Sakai taken alone or in combination teach or suggest "predicting a remaining run time of the battery as a function of the measured battery dynamic parameter, the discharge current, the measured battery voltage, the battery temperature, a full charge battery dynamic parameter, a minimum terminal voltage value of the battery and an estimated capacity

of the battery," as required by claim 1. In fact, there is nothing in Bertness or Sakai about "a minimum terminal voltage value of the battery." Consequently, claim 1 is non-obvious and allowable over the cited references.

Amended independent claim 9 has elements similar to that of independent claim 1. Thus, for the same reasons as independent claim 1, Applicant submits that independent claim 9 is allowable as well. Moreover, Applicant respectfully submits that the dependent claims are also allowable by virtue of their dependency, either directly or indirectly, from the allowable independent claims. Further, the dependent claims set forth numerous elements not shown or suggested in the cited references (Bertness and Sakai).

In view of the foregoing, and for reasons included in previous responses filed on January 18, 2006 and August 19, 2005, Applicant respectfully requests reconsideration and allowance of claims 1-15. Favorable action upon all claims is solicited.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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